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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fourth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Draft resolution submitted by Mr. Bossuyt, Mr. Boutkevitch, Mrs. Chávez, Mr. Despouy, Mr. Eide, Mrs. Forero Ucros, Mr. Guissé, Mr. Hakim, Mr. Hatano, Mr. Joinet, Mr. Khalil, Mrs. Ksentini, Mr. Maxim, Mrs. Palley, Mr. Saboia, Mr. Sachar, Mrs. Warzazi and Mr. Yimer

1992/... Situation of human rights in El Salvador

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1991/11 of 26 August 1991,

Noting with satisfaction resolution 1992/62 adopted by the Commission on Human Rights on 3 March 1992 whereby it requested the Secretary-General to appoint an independent expert to provide assistance in human rights matters to the Government of El Salvador, consider the human rights situation in that country and the effects of the Peace Agreements on the effective enjoyment of human rights, and investigate the manner in which both parties apply the

recommendations contained in the final report of the Special Representative (E/CN.4/1992/32) and those made by the United Nations Observer Mission in El Salvador and the Committees established during the negotiating process,

Welcoming the fact that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional signed the Peace Agreements on 16 January 1992 and thereafter initiated the process for their implementation, which may lead, in particular, to a substantial improvement in the human rights situation in that country,

Considering that the timetable set for the implementation of those Agreements is based on a close interrelation between the execution by both parties of the undertakings made, which is bound to generate mutual confidence in the existence of the will and ability to comply with them,

Taking into account that the Secretary-General in his report of 26 May 1992 (S/23999) maintains that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional are to be commended for not having once broken the cease-fire and for complying with several of their undertakings, but at the same time noting that there have been some serious delays in implementing various provisions of the Agreements,

Appreciating the importance of the work carried out by the Secretary-General and his Personal Representative to assist each of the two parties in implementing the Agreements and enabling there to be effective monitoring by the United Nations Observer Mission in El Salvador,

Noting that, according to what has been reported by the Observer Mission, as a result of the implementation of the Agreements there has been a decrease in the number of complaints of human rights violations, but that the human rights situation still gives cause for concern,

Welcoming the fact that the Ad Hoc Commission, the Truth Commission and the National Commission for the Consolidation of Peace, set up in pursuance of the Agreements, are already in operation, which can help to improve the human rights situation and to strengthen national reconciliation,

Expressing its satisfaction that the Office of the Attorney-General for the Protection of Human Rights has recently been established in El Salvador, and regretting the serious attack committed against one of its staff on 31 July 1992,

Aware that the international community must attentively follow and support the efforts being made by the parties in El Salvador to consolidate peace, ensure respect for human rights and promote the reconciliation and the economic and social development of that country,

1. Commends the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for the extremely important agreements reached by them and for the determination they have expressed to seek to comply with them faithfully and fully;

2. Welcomes the fact that El Salvador has achieved a reduction in the number of human rights violations, while regretting that the situation in regard to those rights continues still to give cause for concern, and expresses its hope that compliance with the Agreements will improve the situation;

3. Expresses its support for the work being done in the cause of the consolidation of peace and the protection of human rights by the Secretary-General, his Personal Representative and the members of the United Nations Observer Mission in El Salvador;

4. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nactional to abide scrupulously by all the Peace Agreements, particularly those relating to human rights and the democratization of the country;

5. Welcomes the fact that the parties have recognized the need to elucidate and deal with any cases of impunity reported, especially where respect for human rights is jeopardized;

6. Takes note of the fact that the Government of El Salvador has begun investigations to identify and punish the perpetrators of the attack against the member of the staff of the Office of the Attorney-General for the Protection of Human Rights, and urges it to carry them through to a successful conclusion;

7. Urges the international community to assist in the National Reconstruction Plan for El Salvador;

8. Offers its full support to the Independent Expert for El Salvador appointed by the Secretary-General.